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August 18, 2015

Hon. Cathy Seibel
United States District Judge
Charles L. Brieant United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: The Wave Studio, LLC v. Visa Inc.
Case No. 7:15-CV-04953-CS

The Wave Studio, LLC v. General Hotel Management Ltd., et al.
Case No. 7:13-CV-09239-CS

Dear Judge Seibel:

This firm represents Visa Inc. (“Visa”) in *The Wave Studio, LLC v. Visa Inc.*, No. 7:15-CV-04953-CS (the “Visa Action”). We request a pre-motion conference pursuant to Rule 2(A) of this Court’s Individual Practices to discuss Visa’s request for consolidation of the Visa Action with *The Wave Studio, LLC v. General Hotel Management Ltd., et al.*, Case No. 7:13-CV-09239-CS (the “GHM Action”), pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

By way of background, on June 15, 2015, Visa and The Wave Studio, LLC (“Wave”) stipulated to transfer the Visa Action to this Court. On June 25, 2015, this Court accepted the Visa Action and deemed it related to the GHM Action pursuant to Local Civil Rule 13.

Rule 42(a) of the Federal Rules of Civil Procedure permits consolidation of cases if the actions “involve a common question of law or fact.” Both the Visa Action and the GHM Action involve nearly identical issues of law as well as overlapping issues of fact. More specifically, the Visa Action and the GHM Action each involve allegations that the defendants infringed copyrights, allegedly owned by Wave, of hotel photographs by using and/or distributing such photographs on Internet websites without Wave’s authorization, license, or consent.

Visa respectfully requests that the Court address the question of consolidation at a pre-motion conference pursuant to Rule 2(A) of the Court’s Individual Practices.

Sincerely,

/s/ Jonathan W. Fountain
Jonathan W. Fountain